THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 20958 OF 2002

Dated 25th July, 2007

Between:

Smt. K.Bharatha Lakshmi W/o K.Prasada Rao

…Petitioner

And

The Secretary and Chairman, Department of Atomic Energy, Government of India, Anushakti Bhavan, C.S.M.Marg, Mumbai – 400 039 and others.

…Respondents.

ORAL ORDER:

This writ petition is filed for a declaration that the action of the respondents 1 and 2 in not taking any action against the third respondent even though the third respondent was convicted and sentenced to pay a fine of RS.5000/-, is illegal and arbitrary.

The petitioner was a complainant against third respondent in C.C.No. 17 of 1995 on the file of the Additional Judicial First Class Magistrate, Hyderabad East and North, Ranga Reddy District. The said complaint was filed for the alleged violation of the provisions of the Negotiable Instruments Act. The third respondent was tried and he was sentenced to imprisonment for a period of six months and was also imposed a fine of Rs.1000/-.

It is the grievance of the petitioner that though the said conviction was affirmed by this court and also the Honourable the Supreme Court, no departmental action has been taken by the respondents 1 and 2.

In the counter affidavit filed on behalf of the respondents 1 and 2, it is stated that in view of the conviction of the third respondent, departmental proceedings were initiated and ultimately, the third respondent was removed from service by order dated 23rd October, 2002, a copy of which has been filed along with the counter affidavit.

In view of the orders passed by the respondents 1 and 2, it cannot be said that no action has been taken. The writ petition is devoid of merits and is, therefore, dismissed. No costs.

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25-7-2007

R.SUBHASH REDDY, J.

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